By: Joseph Joseph

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SJ.R. No. 56

SANTE A JOINT RESOLUTION

proposing a constitutional amendment providing for the issuance of general obligation bonds for certain construction projects.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 49-h to read as follows:

(a) The legislature may authorize the issuance to \$300 million in general obligation bonds and the use of the bond proceeds for acquiring, constructing, or equipping new facilities or for major repair or renovation of existing facilities ! of corrections institutions, including corrections institutions, and mental health and mental retardation institutions. The legislature may require the review and approval of the issuance of the bonds and the projects to be financed by the Notwithstanding any other provision of this bond proceeds. constitution, the issuer of the bonds or any entity created or directed to review and approve projects may include members or appointees of members of the executive, legislative, and judicial departments of state government.

(b) Bonds issued under this section constitute a general obligation of the state. While any of the bonds or interest on the bonds is outstanding and unpaid, there is appropriated out of the first money coming into the treasury in each fiscal year, not otherwise appropriated by this constitution, the amount sufficient to pay the principal of and interest on the bonds that mature or

4|30|87 5/28/87 5/8/87

- 1 become due during the fiscal year, less any amount in any sinking
- 2 <u>fund</u> at the end of the preceding fiscal year that is pledged to
- 3 payment of the bonds or interest.
- 4 SECTION 2. This proposed amendment shall be submitted to the
- 5 voters at an election to be held November 3, 1987. The ballot
- 6 shall be printed to provide for voting for or against the
- 7 proposition: "The constitutional amendment authorizing the
- 8 issuance of general obligation bonds for projects relating to
- 9 corrections institutions and mental health and mental retardation
- 10 facilities."

#### SENATE FAVORABLE COMMITTEE REPORT

Lt. Governor William P. Ho President of the Senate	obby			4/	/ 30/87 (date)/(tir	ne)
Sir:						
We, your Committee on	STATE AFFAIRS				_to which	was referred
	McFarland		_ have on			had the same
(measure)	(sponsor)		_ 11ave 011	(hearing date)	_, 19 <u></u> ,	nau tile same
under consideration and I	am instructed to report	it back w	ith the rec	ommendation (s)	that it	
( do pass and be printed	d					
() do pass and be ordere	d not printed					
() and is recommended	for placement on the Lo	ocal and l	Unconteste	d Bills Calendar.		
A fiscal note was requested	l. (¥yes	( ) no				
A revised fiscal note was re	equested. () yes	( no				
An actuarial analysis was re	equested. () yes	(L) no				
Considered by subcommit	tee. (Yyes	( ) no				
Senate Sponsor of House M	Measure			-		
The measure was reported	from Committee by the	followir	ig vote:			
						•
	YEA		NAY	PNV		ABSENT
Farabee, Chairman		1		<u> </u>		
Blake, Vice Chairman Barrientos						
Caperton					-	
Edwards	<u> </u>					···
Harris					<i>_</i>	
Henderson			·		<u> </u>	<del>-</del>
Leedom	I	<del></del>			<del></del>	
Lyon McFarland			<u>.</u>			
Parmer			χ.			
Sarpalius	V					
Washington					2	<del></del>
TOTAL VOTES						6
COMMITTEE CLERK	<u> Jo</u> ,	CHAIR	MAN -	) In h		
Paper clip the original and one	copy of this form to the ori	1/		copy for your file.		

By: McFarland

(In the Senate - Filed April 8, 1987; April 8, 1987, read
first time and referred to Committee on State Affairs;
April 30, 1987, reported favorably by the following vote: Yeas 7,
Nays 0; April 30, 1987, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	PNV	Absent
Farabee	х			
Blake				x
Barrientos				x
Caperton				x
Edwards	х			
Harris				x
Henderson				x
Leedom	х			
Lyon	х			
McFarland	х			
Parmer	х			
Sarpalius	х			
Washington				х

SENATE JOINT RESOLUTION

proposing a constitutional amendment providing for the issuance of general obligation bonds for certain construction projects.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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SECTION 2. This proposed amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the issuance of general obligation bonds for projects relating to corrections institutions and mental health and mental retardation facilities."

\* \* \* \* \*

57 Austin, Texas 58 April 30, 1987

Hon. William P. HobbyPresident of the Senate

61 Sir:

We, your Committee on State Affairs to which was referred S.J.R.
No. 56, have had the same under consideration, and I am instructed
to report it back to the Senate with the recommendation that it do
pass and be printed.

Farabee, Chairman

Austin, Texas

#### FISCAL NOTE

April 11, 1987

T0: Honorable Ray Farabee, Chairman Committee on State Affairs

In Re: Senate Joint Resolution No. 56

By: McFarland

Senate Chamber

Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 56 (proposing a constitutional amendment providing for the issuance of general obligation bonds for certain construction projects) this office has determined the following:

The resolution would authorize the legislature to provide for the issuance of up to \$300 million in general obligation bonds of the State, the proceeds of which would be used to provide facilities for corrections institutions, including youth corrections institutions, and mental health and mental retardation institutions. The proposed amendment would appropriate out of the first money coming into the State Treasury each year an amount sufficient to pay the debt service that becomes due during the year.

Assuming a 20-year payout at a seven percent interest rate, the probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

	Probable Cost Out
Fiscal	of the
<u>Year</u>	<u>General Revenue Fund</u>
4	407 040 000
1988	\$27,910,800
1989	27,910,800
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1991	27,910,800
1992	27,910,800

Similar annual costs would continue to fiscal year 2008.

The cost of publication of the resolution to the State is estimated to be \$45,000.

No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, MC

12

Floor Amendment No.

BY: My Jana

Amend S.J.R. 56, SEC. 1, Sec. 49-h(a) as follows:

After the words "up to" and before the word "million" delete the figure \$300 and insert in lieu thereof the figure \$500.

8/1/80

ADOFTED

MAY 8 1987

Joseph Com Common

Hon Am. #0 5/8/87 5/28/87 AMEND THE CAPTION TO CONFORM
TO THE BODY OF THE BILL

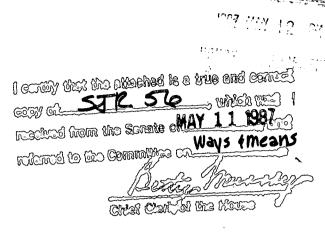
ADOPTED

MAY 8 1987

States King

1987 Engrossed

Engrossing Clerk



By: McFarland

S.J.R. No. 56

(Aikin, Hightower)

1 SENATE JOINT RESOLUTION

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(b) Bonds issued under this section constitute a general obligation of the state. While any of the bonds or interest on the bonds is outstanding and unpaid, there is appropriated out of the first money coming into the treasury in each fiscal year, not otherwise appropriated by this constitution, the amount sufficient to pay the principal of and interest on the bonds that mature or

S.J.R. No. 56

- 1 become due during the fiscal year, less any amount in any sinking
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- 3 payment of the bonds or interest.
- SECTION 2. This proposed amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the issuance of general obligation bonds for projects relating to corrections institutions and mental health and mental retardation
- 10 facilities."

Austin, Texas

#### FISCAL NOTE

April 11, 1987

TO: Honorable Ray Farabee, Chairman

In Re: Senate Joint Resolution No. 56

By: McFarland

Committee on State Affairs Senate Chamber Austin. Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 56 (proposing a constitutional amendment providing for the issuance of general obligation bonds for certain construction projects) this office has determined the following:

The resolution would authorize the legislature to provide for the issuance of up to \$300 million in general obligation bonds of the State, the proceeds of which would be used to provide facilities for corrections institutions, including youth corrections institutions, and mental health and mental retardation institutions. The proposed amendment would appropriate out of the first money coming into the State Treasury each year an amount sufficient to pay the debt service that becomes due during the year.

Assuming a 20-year payout at a seven percent interest rate, the probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

	Probable Cost Out
Fiscal	of the
<u>Year</u>	General Revenue Fund
1988	\$27,910,800
1989	27,910,800
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1992	27,910,800

Similar annual costs would continue to fiscal year 2008.

The cost of publication of the resolution to the State is estimated to be \$45,000.

No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, MC

## HOUSE COMMITTEE REPORT

## 1st Printing

	By: McFarland S.J.R. No. 56
	(Aikin, Hightower)
1	SENATE JOINT RESOLUTION
2	proposing a constitutional amendment providing for the issuance of
3	general obligation bonds for certain construction projects.
4	BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1, Article III of the Texas Constitution is amended
6 "	by adding Section 49-h to read as follows:
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9	the bond proceeds for acquiring, constructing, or equipping new
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.2	institutions, and mental health and mental retardation
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.5	bond proceeds. Notwithstanding any other provision of this
.6	constitution, the issuer of the bonds or any entity created or
.7	directed to review and approve projects may include members or
.8	appointees of members of the executive, legislative, and judicial
19	departments of state government.
20	(b) Bonds issued under this section constitute a general
21	obligation of the state. While any of the bonds or interest on the
22	bonds is outstanding and unpaid, there is appropriated out of the
23	first money coming into the treasury in each fiscal year, not
24	otherwise appropriated by this constitution, the amount sufficient
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S.J.R. No. 56

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- 5 voters at an election to be held November 3, 1987. The ballot
- 6 shall be printed to provide for voting for or against the
- 7 proposition: "The constitutional amendment authorizing the
- 8 issuance of general obligation bonds for projects relating to
- 9 corrections institutions and mental health and mental retardation
- 10 facilities."

#### **COMMITTEE REPORT**

The Honorable Gib Lewis
Speaker of the House of Representatives

5-26-87

Sir:				
We, your COMMITTEE ON WA	AYS & MEANS,			
to whom was referred	JR 56 (measure)	have had the same	under consideration	on and beg to report
back with the recommendation	,			
(*) do pass, without amendment(s) do pass, with amendment(s) ( ) do pass and be not printed	s).	ee Substitute is reco	ommended in lieu o	f the original measure.
A fiscal note was requested.	X) yes () no	An actuar	rial analysis was red	quested. ( ) yes Vnc
An author's fiscal statement w	vas requested. ( ) yes			•
The Committee recommends t	hat this measure be pla	aced on the (Local)	or (Consent) Calend	dar.
This measure ( ) proposes new House Sponsor of Senate Mea The measure was reported from	asure AiVin	/ Highto	wer	
	AYE	NAY	PNV	ABSENT
Schlueter, Ch.			V	
Morales, V.C.	V			
Geistweidt, C.B.O.				<u></u>
Berlanga	V			,
Craddick		V		
Earley	V			
Evans, L.				<u> </u>
Hackney				
Hilbert	V			
Luna, A.	V	_		
McDonald				V
Wilson	✓ <b>/</b>			
Wolens				
Total aye			Mill	ute
nay	ot voting	CHAIRMAN Jama	Calfre	er en
absent		COMMITTEE (	COORDINATOR	

#### COMMITTEE ON WAYS AND MEANS

### S.J.R. 56 by McFarland (Aikin/Hightower)

#### BACKGROUND:

The current facilities of the Texas prison system are far below most projections of future need. In addition, the Texas Department of Mental Health and Mental Retardation and the Texas Youth Commission require additional capital. Using bonds to finance these improvements would reduce the amount of general revenue spending for the upcoming biennium.

#### PURPOSE:

To issue bonds to finance the improvements in the states prison, youth correctional facilities, and mental health and mental retardation facilities.

#### SECTION-BY-SECTION ANALYSIS:

Section 1. Provides the Legislature may authorize the issuance of up to \$500 million in general obligation bonds for the acquiring, constructing, or equipping new facilities or major renovation of existing facilities for prisons, youth correctional facilities, or mental health and mental retardation facilities. The bonds may be approved by a bond review board. The bonds are guaranteed from the first non-Constitutionally dedicated money coming out into the Treasury.

Section 2. The amendment is subject to voter approval on November 3, 1987.

#### RULEMAKING AUTHORITY:

It is the opinion of the committee that this bill does not create any new rulemaking authority.

#### SUMMARY OF COMMITTEE ACTION:

Pursuant to a suspension of the five-day posting rule, S.J.R. 56 was considered in a public hearing on 5-26-87. No one testified for or against the bill. The motion to report the bill favorably without amendment carried by a vote of 7 ayes, 1 nay, 1 PNV, with 4 absent.

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Austin, Texas

#### FISCAL NOTE

May 26, 1987

T0:

Honorable Stan Schlueter, Chair Committee on Ways and Means House of Representatives

Austin. Texas

In Re: Senate Joint Resolution

No. 56, as engrossed

By: McFarland

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 56, as engrossed (proposing a constitutional amendment providing for the issuance of general obligation bonds for certain construction projects) this office has determined the following:

The resolution would authorize the legislature to provide for the issuance of up to \$500 million in general obligation bonds of the State, the proceeds of which would be used to provide facilities for corrections institutions, including youth corrections institutions, and mental health and mental retardation institutions. The proposed amendment would appropriate out of the first money coming into the State Treasury each year an amount sufficient to pay the debt service that becomes due during the year.

Assuming a 20-year payout at a seven percent interest rate, the probable cost of implementing the provisions of the bill during each of the first five years following passage is estimated as follows:

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Fiscal	of the
<u>Year</u>	General Revenue Fund
1988	\$46,518,900
1989	46,518,900
1990	46,518,900
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1992	46,518,900

Similar annual costs would continue to fiscal year 2008.

The cost of publication of the resolution to the State is estimated to be \$45,000.

No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, PA

Austin, Texas

#### FISCAL NOTE

April 11, 1987

TO:

Honorable Ray Farabee, Chairman In Re: Senate Joint Resolution No. 56 Committee on State Affairs By: McFarland

Senate Chamber

Austin, Texas

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 56 (proposing a constitutional amendment providing for the issuance of general obligation bonds for certain construction projects) this office has determined the following:

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Source: LBB Staff: JO, HES, JWH, MC

Enrolled May 29,1987

Atsy Saw

Haroling Clerk

S.J.R. No. 56

SENATE JOINT RESOLUTION

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S.J.R. No. 56

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10 facilities."

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President of the Senate

Speaker of the House

I hereby certify that S.J.R. No. 56 was adopted by the Senate on May 8, 1987, by the following vote: Yeas 29, Nays O.

Secretary of the Senate

I hereby certify that S.J.R. No. 56 was adopted by the House on May 28, 1987, by the following vote: Yeas 130, Nays 14, one present not voting.

Chief Clerk of the House

Austin, Texas

#### FISCAL NOTE

May 26, 1987

T0:

Honorable Stan Schlueter, Chair Committee on Ways and Means

House of Representatives

Austin, Texas

In Re: Senate Joint Resolution

No. 56, as engrossed By: McFarland

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Joint Resolution No. 56, as engrossed (proposing a constitutional amendment providing for the issuance of general obligation bonds for certain construction projects) this office has ~ determined the following:

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Similar annual costs would continue to fiscal year 2008.

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No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, PA

Austin, Texas

#### FISCAL NOTE

April 11, 1987

TO:

Honorable Ray Farabee, Chairman Committee on State Affairs

In Re:

Senate Joint Resolution No. 56

By: McFarland

Senate Chamber

Austin, Texas

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The cost of publication of the resolution to the State is estimated to be \$45,000.

No fiscal implication to units of local government is anticipated.

Source: LBB Staff: JO, HES, JWH, MC

s.j.r. no. <u>56</u>

President of the Senate	Speaker of the House
I hereby certify that S.J.R	. No. $56$ (1) was adopted by the
Senate on May 8	(2), 1987, by the following vote:
Yeas $\frac{29}{(3)}$ , Nays $\frac{0}{(4)}$ .	
	Secretary of the Senate
I hereby certify that S.J.R	No. $56(1)$ was adopted by the
House on May 28	_(5), 1987, by the following vote:  One present not voling
Yeas $130$ (6), Nays $14$ (7),	one present not voling
	Chief Clerk of the House

s. J. R. No. 56

# By Boll Hospand

#### SENATE JOINT RESOLUTION

proposing a constitutional amendment providing for the issuance of general obligation bonds for certain construction projects.

	Filed with the Secretary of the Senate					
APR 8 1987	Read and referred to Committee on STATE AFFAIRS					
APR 3 0 1987	Reported favorably					
	Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.					
	Ordered not printed					
	Laid before the Senate					
MAY 8 1987						
	Senate and Constitutional Rules to permit consideration suspended by:  yeas,					
MAY 8 1987	Read second time, amend and ordered engrossed by: unanimous consent					
MAY 8 1987	(yeas,nays					
MAY 8 1987	Caption ordered amended to conform to the body of the bill.					
MAY 8 1987	Senate and Constitutional 3 Day Rule suspended by a vote of 28 yeas, nays.					
WAL 0 130/	Read third time,, and passed by 29 yeas, nays.					
	meny may					
,	SECRETARY OF THE SENATE					
OTHER ACTION:						
<i>A</i> .						
May 8, 198	7					
MAY 11 1087	# Engrossed					
7)	_ Sent to House					
Hatsus (	Daw					
Engrossing Clerk						
MAY 11 1987	Received from the Senate					
MAY 12 1987	1110000					
MAY 26 1987	2007					
MAY 26 1987	The state of the s					
2.2	Printed and Distributed 8:17 p.m.					
MAY 26 1987 MAY 28 1987	Sent to Committee on Calendars					
	Read second time (amended) and finally adopted hilled adoption by Record Vote of 130 yeas, 14 nays, present not voting.					
	Read third time (amended) and finally adopted failed adoption by a Record Vote of					
	Caption ordered amended to conform to body of resolution					
5-29-87	Returned to Senate.					
	· Accounted to Delitite,					
	Berty Museray					
- A 4007	CHIEF CLERK F THE HOUSE					
AY 29 198/	Returned from House without amendment.					
	Returned from House with amendments.					
	Concurred in House amendments by a viva voce vote					

Refused to concur in adjust the differences.	House amendn	nents and reque	sted the appoint	ment of a Conferen	ce Committee to
Senate conferees instru	ucted.		- 5		
Senate conferees appo	ointed:		, Cha	irman;	
				, and	
House granted Senate		1 pt = 1 to 1			, Chairman;
		-		·	
Conference Committe			•	N. L	
Conference Committee	e Report adop	ted on the part	of the House by:		
	( a viva voce	vote as, nays			
	*				
Conference Committee	ee Report adop	ted on the part	of the Senate by		
	a viva voce	vote as, nays			
OTHER ACTION:					
Recommitted to Con	ference Commi	ittee			
Conferees discharged					
Conference Committee	ee Report faile	d of adoption b	y:		
	s viva voce				
	( yea	as,nays			

Mys

12-20